



**STATE OF MONTANA
MONTANA DEPARTMENT OF TRANSPORTATION
JOB PROFILE AND EVALUATION**

SECTION I - Identification

Working Title:
Right-of-Way Agent I

Department:
Transportation

Class Code Number: 131973

Division & Bureau:
District Engineering

Class Code Title:
Right of Way Technician

Section & Unit:
Billings

Pay Band: 3

Work Address:
PO Box 20437
Billings, MT 59104

Position Number: 51002, 51215, 51216, 51217, 53002, 53215, 55215, 55218, 57215, 57225, 57245, 59228, 60010, 60022, 60033, 60039, 60047, 60052, 60053, 60070, 60076

Phone: 406-252-4138

☐ FLSA Exempt

☒ FLSA Non-Exempt

Profile Completed By:
Greg Hahn
Right-of-Way Operations Manager

Work Phone:
406-444-6063

Jerilee Weibel
District Right-of-Way Panel

406-454-5893

Brian Cameron
CMS, LLC

406-442-4934

Work Unit Mission Statement or Functional Description:

The MDT's mission is to serve the public by providing a transportation system and services that emphasize quality, safety, cost effectiveness, economic vitality and sensitivity to the environment.

The Highways and Engineering Division prepares projects for bidding and coordinates highway construction. The Division is made up of the Materials, Construction, Right-of-Way, Bridge, Traffic and Safety, Environmental Services, Engineering Oversight, and Preconstruction bureaus; the CADD Systems and Engineering Management Support sections; and five District Construction and Pre-Construction Offices in Missoula, Butte, Great Falls, Glendive, and Billings for budget and workforce purposes.

The District Right-of-Way section is responsible for the acquisition of interests in real property for highway construction, maintenance, excess property disposal, and related purposes. District ROW personnel also when necessary assist in the relocation of displaced individuals as a result of highway projects. This includes appraisal and negotiation for real property interests; the preparation of right-of-way estimates and various studies including access control, irrigation and route location; and recommending design revisions where necessary to acquire parcels. The District Right-of-Way section is also responsible for conducting initial permitting activities relating to outdoor advertising control.

Describe the Job's Overall Purpose:

This position serves as a Right of Way Agent I and is responsible for assisting other agents with property appraisals and negotiations to arrive at fair compensation for Department property acquisitions. This includes researching property information, conducting site inspections, conducting simple waiver valuations, and related duties. The position is expected to perform these support functions while gaining a progressively responsible knowledge of appraisal and negotiation processes, standards, and requirements. The position reports to the District Right of Way Manager and does not directly supervise others.

SECTION II - Major Duties or Responsibilities

% of Time

A. APPRAISAL AND ACQUISITION SUPPORT

75%

1. Researches and examines property title information and ownership data to compile information about land titles, land classifications, and soil classifications. Reviews building and site improvement information, including sanitation regulations, zoning, planning, irrigation rights, covenants and deed restrictions, traffic flow and access control, and other issues for review by senior right of way staff.
2. Conducts routine site inspections of residential and rural properties to identify factors affecting property values and collect data required for property maps, plats, and/or sketches used in appraisals. Designs property documents according to project specifications.
3. Participates in discussions with engineering personnel regarding engineering details of proposed highway projects to identify engineering factors, clarify project scope, and ensure that relevant information is incorporated into right-of-way studies.
4. Obtains routine construction cost estimates from private contractors and others for use in appraisals. This includes examining preliminary engineering cost estimates and new issues (e.g., replacing trees, fencing, etc.) referred by appraisers, engineers, managers, and other agents to account for total project costs.
5. Coordinates with appraisers to provide logistical support and field services throughout the course of appraisals and negotiations. This includes researching and compiling specific items (e.g., soil classifications, project data, etc.), assisting with routine landowner contacts, scheduling meetings, and related support services.
6. Prepares land purchase agreements for use in purchasing interests in real property. Coordinates with senior Right of Way Agents (i.e., levels III and IV) to review and recommend project specifics, standard clauses, right of way plans, and other information for incorporation in agreements.

7. Participates in pre-negotiation conferences with appraisers, review appraisers, negotiators, and others to assess the impact of right of way plans on various properties and land managers.
8. Observes negotiations conducted by senior agents and may conduct routine negotiations for waiver valuations and performs basic evaluations under the direction of senior agents. This includes construction permits, simple acquisitions, and other projects as directed.
9. Identifies suspect or illegal outdoor advertising services to ensure compliance with laws and requirements. This involves identifying and/or inspecting outdoor advertising sites, referencing applicable statutes and regulations, and coordinating with senior agents to issue permits, resolve deficiencies, and recommend compliance actions.

B. PROJECT COORDINATION

20%

1. Compiles, drafts, and disseminates a variety of reports, notices, correspondence, project lists, and other documents to provide accurate timely information. Coordinates review and revision cycles with appropriate staff.
2. Establishes and maintains electronic and manual records systems to ensure the availability of essential program data. This involves establishing new databases or files, maintaining records with current information, and accessing and providing records as requested. Coordinates records retention and disposal procedures to ensure compliance with applicable requirements.
3. Coordinates contacts with landowners, appraisers, District and headquarters staff, and others to ensure smooth communication channels. This involves receiving and routing incoming calls and visitors, providing routine contact and follow-up with project teams and cooperators, and tracking important contacts to ensure responsiveness.
4. Provides administrative support to senior right-of-way agents to assist with office and field activities while becoming familiar with processes, resources, and requirements of the appraisal and negotiation functions.

C. OTHER DUTIES

05%

Performs a variety of other duties as assigned by the District Right of Way Manager in support of the Department mission, District objectives, and operational plans. This includes exchanging information with consultants, Department staff, other agencies, and the public; participating in conferences and meetings, assisting with special projects, and attending ongoing education and training as directed.

2. *Specific examples of problems solved, decisions made, or procedures followed when performing the most frequent duties of this position include:*

Problems and decisions involve researching, eliciting, and compiling information related to specific requirements of various appraisal and acquisition projects. In most cases, the lead appraiser/negotiator provides general information needs, and the incumbent determines specific sources, documents, and other data to meet these needs.

3. *The most complicated aspect of this position is:*

The most complicated aspects of the job involve compilation of specific property information based upon individual appraisal and acquisition projects. The position researches public records and elicits information from landowners to ensure that all necessary data is available to appraisers and negotiators.

4. *Guidelines, manuals, or written procedures that support this position include:*

Most work assignments are outlined or overseen by the District Right of Way Manager or project leader, and the incumbent is expected to determine specific procedures to fulfill project objectives and specifications. Other work is covered through annual program plans; Right of Way Manual; Department, State, and federal regulations (e.g., ARM, MOM, MCA, USC etc.); AASHTO guidelines; and related professional and administrative policies, standards, and procedures. The position is held accountable for carrying out the MDT's mission and objectives and meeting established ROW standards within established Department, State, and federal objectives, policies, requirements, and time and budgetary constraints.

5. *Which of the duties and/or specific tasks listed under 1. (above) are considered "essential functions" that must be performed by this position (with or without accommodations)? (If you need information or training on the identification of essential functions, please contact MDT Human Resources Division.)*

The following duties are considered an essential function because they require specialized expertise and skill and are the primary reasons the job exists:

Duty A: Appraisal and Acquisition Support
Duty B: Project Coordination

The following mental and physical demands are associated with these essential functions:

PHYSICAL

- Light lifting (less than 10 lbs.)
- Carry light items (papers, books, small parts)
- Remaining seated for extended periods of time, with occasional walking; standing; bending
- Travel within the state to project locations, and out of state travel by airline to national conferences and meetings.
- Operating a personal computer
- Communicate in writing, in person, and over the phone

MENTAL

- Deal with the public on a regular basis
- Ability to multi-task
- Demands for accuracy in all aspects of work
- Ability to meet inflexible deadlines
- Computing arithmetic operations
- Comparing data
- Compiling information
- Analyzing
- Coordinating
- Synthesizing
- Negotiating

- Instructing

6. **Does this position supervise others?** ☐ Yes ☒ No

Number directly supervised: 0.0
Complexity level of the positions supervised: 0
Position Number(s) of those supervised: N/A

7. **This position is responsible for:**

- | | | | |
|---|-------------------------------------|--------------------------------------|------------------------------------|
| <input type="checkbox"/> Hiring | <input type="checkbox"/> Firing | <input type="checkbox"/> Supervision | <input type="checkbox"/> Pay Level |
| <input type="checkbox"/> Performance Management | <input type="checkbox"/> Promotions | <input type="checkbox"/> Discipline | |
| <input type="checkbox"/> Other: | | | |

8. **Attach an Organizational Chart.**

ATTACHED

SECTION III - Minimum Qualifications - List minimum requirements for the first day of work.

Critical knowledge and skills required for this position:

KNOWLEDGE:

It is desirable to have the following: Working knowledge of real estate appraisal processes; principles of negotiation and conflict management; and laws and rules pertaining to acquisition of land for public purposes. The position also requires knowledge of mapping/platting methods and procedures. (Individuals new to Right of Way who may not completely meet this qualification on Day 1 of their employment at MDT are expected to acquire this knowledge within the first year of employment.

SKILLS:

This position requires skills and abilities in reading and interpreting technical maps, plans, and legal documents; explaining and negotiating technical and sometimes contentious issues with the public; understanding and carrying out written and verbal instructions; and maintaining effective working relationships with Bureau staff, other MDT personnel, and the public.

Behaviors required to perform these duties?

- **Influence and Persuasion** – Able to convince others in either positive or negative circumstances; use tact when expressing ideas or opinions; present new ideas to authority figures; adapt presentations to suit a particular audience; respond to objections successfully.
- **Communication:** Translates technical information to audiences of varied technical levels. Negotiates specific terms and conditions of individual agreements.
- **Independence of Action:** Determines appropriate responses to appraisal, acquisition, and related problems and deficiencies with minimal assistance or precedent.
- **Decision Making and Problem Solving** – Able to make decisions designated to achieve desired outcomes.

- **Relationship Management** – Demonstrates ability to develop rapport and maintain long-term associations with others both internal and external to the agency.
- **Policies, Processes and Procedures-** Able to act in accordance with established guidelines; follow standard procedures in crisis situations; communicate and enforce organizational policies and procedures; recognize and constructively conform to unwritten rules or practices.
- **Flexibility** – Able to remain open-minded and change opinions on the basis of new information; perform a wide variety of tasks and change focus quickly as demands change; manage transitions effectively from task to task; adapt to varying customer needs.

Education:

A minimum of a high school diploma or GED.

Experience:

One (1) year of work experience in Right of Way or an area of employment requiring communication or public contact skills involving one or more Right of Way Agent communication-related activities such as persuasion, conflict management, diplomacy, rapport-building, mediation, problem-solving, or decision-making.

SECTION IV – Other Important Job Information

Work is performed in an office environment and in the field involving traversing rough terrain, working around heavy machinery and equipment, and contentious situations with landowners. The incumbent is expected to travel extensively throughout the District (e.g., up to 1,000 miles per month) to perform site visits, perform or evaluate appraisals, and negotiate acquisitions. Property inspections may require walking moderate distances, climbing over fences and ascending stairs, and working in inclement weather conditions. Contentious negotiations with landowners, legal representatives, and others; and heavy workloads may create stressful day-to-day working conditions.

SECTION V – Signatures

Signature indicates this statement is accurate and complete.

Employee:

Name: _____ Title: _____

Signature: _____ Date: _____

Immediate Supervisor:

Name: _____ Title: _____

Signature: _____ Date: _____

Division/District Administrator:

Name: _____ Title: _____

Signature: _____ Date: _____

Department Designee:

Name: _____ Title: _____

Signature: _____ Date: _____
